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ZONING CHANGE REVIEW SHEET

CASE: C14-2014-0021

Z.A.P. DATE: March 18, 2014

(Town & Country Village Addition, Section 1)

ADDRESS: 12845 North U. S. Highway 183

OWNER/APPLICANT: Town & Country Village Park, Ltd. (Darcy Shorman)

AGENT: Cunningham-Allen, Inc. (Jana Rice)

ZONING FROM: 1-RR

TO: GR

AREA: 2.345 acres

SUMMARY STAFF RECOMMENDATION:

The staff's recommendation is to grant GR-CO, Community Commercial-Conditional Overlay Combining District, zoning. The conditional overlay will limit development on the site to less than 2,000 vehicle trips per day.

ZONING AND PLATTING COMMISSION RECOMMENDATION:

DEPARTMENT COMMENTS:

The property in question is currently developed with two structures that comprise a commercial retail center. This property was annexed by the city on December 31, 1997. The applicant is proposing to zone the site to bring the existing uses into conformance with City of Austin Land Development Code regulations.

The staff recommends GR-CO zoning because the property meets the intent of the Community Commercial district as it will permit office or other commercial use that serves neighborhood and community needs. The proposed GR-CO zoning would promote consistency and orderly planning in this area as the property is adjacent to GR-CO/GR zoning to the north and south and GR-CO/CS-CO zoning to the east, across Pond Springs Road. The site under consideration is ideal for commercial development as it is located within the epicenter of a designated 'Neighborhood Center', at the intersection of a state highway, U.S. Highway 183 North, and an arterial roadway, Pond Springs Road.

The applicant agrees with the staff's recommendation.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	I-RR	Retail Center (The Travel Center, Foot Doctor/Specialist, Family Dental Center, Law Office, etc.), Undeveloped Area
<i>North</i>	GR-CO	Office Center (Arbor Square)
<i>South</i>	GR-CO, GR	Retail Center (Town and Country Village: Jim's Restaurant, HEB, Chase Bank, etc.)
<i>East</i>	GR-CO, CS-CO, GR-CO	Plant Nursery (Red Barn Garden Center), Convenience Storage (Store-A-Way Self Storage), Retail Sales-Convenience (Walgreen's)
<i>West</i>	GR, I-SF-2	Office (Your HR Group, Scottish Rite Learning Center)

C4
1/2

AREA STUDY: N/A

TIA: Waived

WATERSHED: Rattan Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: N/A

HILL COUNTRY ROADWAY: N/A

NEIGHBORHOOD ORGANIZATIONS:

Austin Heritage Tree Foundation
 Austin Monorail Project
 Austin Northwest Association
 Bike Austin
 Bull Creek Foundation
 Homeless Neighborhood Association
 Laurel Oaks Neighborhood Association
 Long Canyon Homeowners Association
 Long Canyon Phase II & LLL Homeowners Association, Inc.
 Pond Springs Neighborhood Association
 SELTEXAS
 Sierra Club, Austin Regional Group
 Spicewood Springs Road Tunnel Coalition
 Super Duper Neighborhood Objectors and Appealers Organization
 The Real Estate Council of Austin, Inc.

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2012-0058 (Summer Grove Apartments: 7905 San Felipe Boulevard)	RR to MF-3	7/03/12: Approved the staff's recommendation of MF-3 district zoning on consent (4-0, B. Baker, J. Meeker and G. Rojas - absent); S. Baldrige-1 st , C. Banks-2 nd .	8/02/12: Approved MF-3 zoning on consent on all 3 readings (7-0); B. Spelman-1 st , S. Cole-2 nd .
C14-2012-0017 (San Felipe Boulevard Re-Zoning: 8007 San Felipe Boulevard)	GR to GR-MU	3/20/12: Approved staff's recommendation of GR-MU-CO zoning, with the following conditions: add Restaurant (Limited) and Urban Farm back as permitted uses and prohibit Drive-in Services (7-0); P. Seeger-1 st , C. Banks-2 nd .	4/26/12: Approved GR-MU-CO zoning on consent on all 3 readings (7-0); B. Spelman-1 st , C. Riley-2 nd .
C14-2008-0241 (Rosco Jo's: 7701 San Felipe Boulevard)	GR-CO to CS-1	4/07/09: Case withdrawn by the applicant in letter to the staff on April 6, 2009.	N/A
C14-04-0162 (Arbor Square: 12885 Research Boulevard)	I-RR to GR	11/2/04: Approved staff's recommendation of GR-CO zoning, with CO to limit the development intensity to less than 2,000 vehicle trips per day,	12/02/04: Approved GR-CO (7-0); all 3 readings

9/3

		by consent (9-0); J. Martinez-1 st , J. Gohil-2 nd .	
C14-04-0155 (San Felipe Market: 7402 McNeil Drive and 7318 San Felipe Boulevard)	GR-CO to GR-CO	11/2/04: Approved staff's recommendation of GR-CO zoning, with CO to limit the development intensity to less than 2,000 vehicle trips per day, by consent (9-0); J. Martinez-1 st , J. Gohil-2 nd .	12/02/04: Approved GR-CO (7-0); all 3 readings
C14-04-0070 (12952 Pond Springs Road)	I-RR to GR-CO	7/20/04: Approved staff's recommendation of GR-CO zoning, with CO to impose the following conditions: 1) The only permitted GR uses are Auto Sales and Auto Repair; 2) Permit LR Uses, with the exception of the following LR uses: Service Station; Restaurant (General); Restaurant (Limited); 3) Limit the development intensity to less than 2,000 vehicle trips per day; 4) Require a 25' vegetative buffer along the northern property line; by consent (8-0, J. Pinnelli-absent)	8/26/04: Granted GR-CO (7-0); all 3 readings
C14-03-0080 (Goodson 4.4 acres: San Felipe Blvd)	MF-3-CO to GR	6/10/03: Approved staff's alternate recommendation of GR-CO zoning with the following conditions: 1) Limit the site to 2,000 vehicle trips per day; 2) Prohibit the following uses: Automotive related uses [Automotive Rentals, Automotive Repair Services, Automotive Sales, and Automotive Washing (of any type)], Pawn Shop Services, Restaurant (Drive-In, Fast Food), Personal Improvement Services, Commercial Off-Street Parking, Drop-Off Recycling Collection Facility, Adult Oriented Businesses, Urban Farm, and 3) Require a 10-foot landscape buffer along the Eastern property line. Vote: (8-0, J. Martinez-absent); M. Whaley-1 st , K. Jackson-2 nd .	7/17/03: Approved ZAP rec. of GR-CO (7-0); with the following additional permitted uses: Personal Improvement Services use and permit Drive-In Facilities, only as an accessory use to a Bank (Financial Services use). 8/14/03: Approved (7-0); 2 nd /3 rd readings.

C4/4

C14-02-0138 (Pivot Storage: 12835 Pond Springs Road)	I-RR to CS	9/17/02: Approve staff's rec. of CS-CO zoning with the following conditions: add Equipment Sales and Automotive Rentals as allowed/ permitted uses (7-0)	10/24/02: Granted ZAP rec. of CS-CO on all 3 readings (6-0, Dunkerley-absent), including the following conditions: 1) 2,000 vehicle trips per day limit; 2) Allow Convenience Storage and Equipment Sales as the only "CS" uses; 3) Limit the property to "GR" uses; 4) Prohibit the following additional uses: a) Automotive Repair Services b) Automotive Sales c) Automotive Washing d) Drive-Through Facilities e) Drop-Off Recycling f) Pawn Shop Services
C14-02-0132 (Goodson 8 Acres: Pond Springs Road at San Felipe Boulevard)	MF-3-CO to GR	10/22/02: Approved GR-CO zoning with the following conditions: 1) The only permitted GR uses are Automotive Sales and Automotive Repair Services; 2) Permit LR uses, with the exception of the following uses: a) Service Station b) Food Sales c) Accessory Off-Site Parking d) Restaurant (Drive-In, Fast Food) e) Restaurant (Limited); 3) 2,000 vehicle trip per day limit; 4) Require that protected trees shall remain undisturbed; 5) Require that Compatibility Standards be applied along the eastern property line; 6) Require a 25' vegetative buffer along the eastern property line; 7) Limit structures to 40' in height, with an increase in height according to Compatibility Standards; 8) Require that all Automotive Maintenance and Repair be contained within a structure; 9) Restrict access to San Felipe	11/21/02: Granted ZAP rec. of GR-CO zoning w/ conditions and a public restrictive covenant (6-0, Goodman-absent); 1 st reading 12/5/02: Granted GR-CO zoning (7-0); 2nd reading, with the following conditions: 1) No structural detention or water quality facility shall be allowed within the proposed 25' vegetative buffer; 2) Grow green standards shall be utilized; 3) Structural parking shall be prohibited 12/12/02: Granted GR-CO zoning (7-0); 3 rd reading [valid petition withdrawn]

C4
5

		Boulevard to emergency access only; 10) Allow no inoperable vehicle storage on the site; 11) Parking lot not allowed adjacent to the proposed vegetative buffer along the eastern property line.	
C14-02-0017 (Red Barn Garden Center: 12881 Pond Springs Road)	I-RR to GR	2/26/02: Approved staff's rec. of GR-CO zoning by consent (7-0, K. Jackson-absent, A. Adams-off dais)	4/4/02: Approved ZAP rec. of GR-CO (6-0, Goodman out of room); all 3 readings, with the following conditions: 1) 2,000 vehicle trip per day limit; 2) Prohibit the following uses: a) Automotive Rentals b) Automotive Repair Services c) Automotive Sales d) Automotive Washing; e) Drive-Through Facilities
C14-01-0080 (San Felipe Green: 7800 Block of San Felipe Boulevard)	CS-CO to MF-2	6/26/01: Approved staff rec. of MF-2 by consent (8-0)	12/6/01: Approved MF-2 (7-0); all 3 readings

RELATED CASES: N/A

ABUTTING STREETS:

NAME	ROW	PAVEMENT	CLASSIFICATION
US Highway 183	330'	Varies	Major Arterial
Pond Springs Road	100'	20'	Minor Arterial

CITY COUNCIL DATE: April 17, 2014

ACTION:

ORDINANCE READINGS: 1st

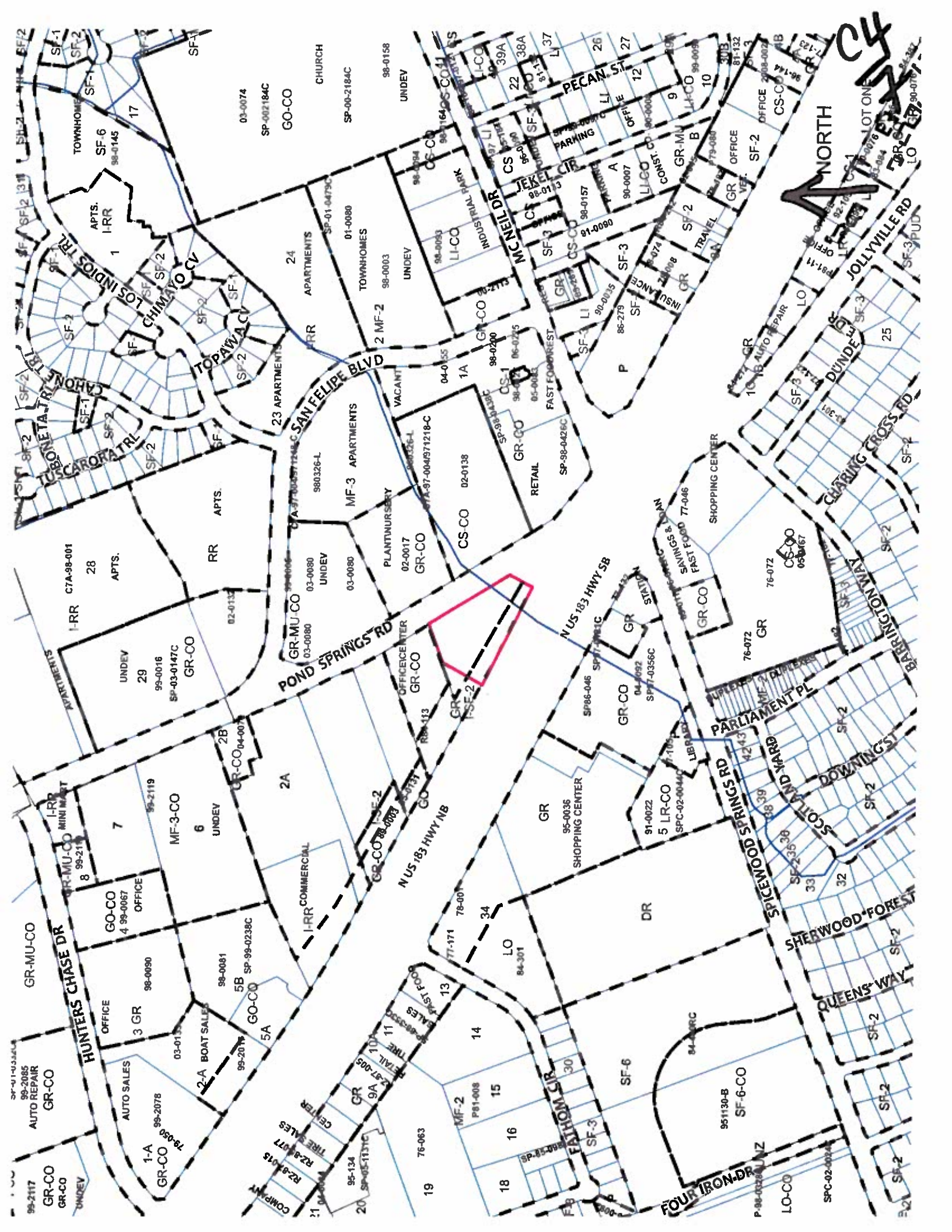
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3rd

ORDINANCE NUMBER:

CASE MANAGER: Sherri Sirwaitis

PHONE: 974-3057,
sherri.sirwaitis@austintexas.gov





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STAFF RECOMMENDATION

The staff's recommendation is to grant GR-CO, Community Commercial-Conditional Overlay Combining District, zoning. The conditional overlay will limit development on the site to less than 2,000 vehicle trips per day.

BASIS FOR RECOMMENDATION

1. *The proposed zoning should be consistent with the purpose statement of the district sought.*

The Community Commercial (GR) district is the designation for an office or other commercial use that serves neighborhood and community needs and that generally is accessible from major traffic ways.

2. *The proposed zoning should promote consistency and orderly planning.*

GR-CO zoning would promote consistency and orderly planning in this area as the property in question is located adjacent to existing GR-CO/GR zoning to the north and south and GR-CO/CS-CO zoning to the east, across Pond Springs Road.

3. *Zoning should promote the policy of locating retail and more intensive zoning near the intersections of arterial roadways or at the intersections of arterials and major collectors.*

The site under consideration is located at the intersection of a state highway, U.S. Highway 183 North and an arterial roadway, Pond Springs Road.

EXISTING CONDITIONS

Site Characteristics

The site under consideration is currently contains an existing retail center and an undeveloped area of land.

Comprehensive Planning

IRR to GR

The zoning case is located on the north side of the US 183 frontage road, which is a heavily travelled corridor adjacent to IH-183 in north Austin. The property is 2.3 acres in size and is not located within the boundaries of a neighborhood planning area. Surrounding land uses includes office buildings to the east and west, a garden center to the north, and US 183 to the south. The proposed use is office/retail.

Imagine Austin

The property is located within the epicenter of a 'Neighborhood Center', as identified on the Imagine Austin's Growth Concept Map. A Neighborhood Center is the smallest and least intense of the three types of activity centers outlined in the Growth Concept Map. Of the three, these will have a more local focus. Businesses and services—doctors and dentists, shops, branch libraries, dry cleaners, hair salons, coffee shops, restaurants, and other small and local businesses—will generally serve the center and surrounding neighborhoods.

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10

The site is also located over the Edwards Aquifer Recharge Zone, as identified on the Imagine Austin's Environmental Resources Map, found in the Image Austin Comprehensive Plan (IACP). An aquifer contributing zone is an area where runoff from precipitation flows to the recharge zone of an aquifer. Streams in the contributing zone flow downstream into the recharge zone and "contribute" water to the aquifer.

The following Imagine Austin policies are applicable to this case:

- **LUT P3.** Promote development in compact centers, communities, or along corridors that are connected by roads and transit that are designed to encourage walking and bicycling, and reduce health care, housing and transportation costs.
- **LUT P7.** Encourage infill and redevelopment opportunities that place residential, work, and retail land uses in proximity to each other to maximize walking, bicycling, and transit opportunities.
- **LUT P21.** Ensure that redevelopment in the Edwards Aquifer's recharge and contributing zones maintains the quantity and quality of recharge of the aquifer.

Based on the property being located within a Neighborhood Center, which supports the development of office and retail uses; adjacent to the heavily travelled US 183; and the Imagine Austin policies referenced above that supports commercial and office uses in compact centers, staff believes that the proposed office/retail use is supported by the Imagine Austin Comprehensive Plan as long as environmental ordinances are considered and enforced.

Environmental

The site is located over the North Edwards Aquifer Recharge Zone. The site is in the Rattan Creek Watershed, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Desired Development Zone.

According to floodplain maps there is no floodplain within or adjacent to the project location.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

Trees will likely be impacted with a proposed development associated with this rezoning case. Please be aware that an approved rezoning status does not eliminate a proposed development's requirements to meet the intent of the tree ordinances. If further explanation or specificity is needed, please contact the City Arborist at 512-974-1876. At this time, site specific information is unavailable regarding other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

Under current watershed regulations, development or redevelopment requires water quality control with increased capture volume and control of the 2 year storm on site.

At this time, no information has been provided as to whether this property has any preexisting approvals that preempt current water quality or Code requirements.

C4
11

Impervious Cover

The maximum impervious cover allowed by the GR zoning district would be 90%. However, because the Watershed impervious cover is more restrictive than the zoning district's allowable impervious cover, the impervious cover on this site would be limited by the watershed ordinance.

Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

<i>Development Classification</i>	<i>% of Gross Site Area</i>	<i>% of Gross Site Area with Transfers</i>
Single-Family Residential (min. lot size 5750 sq. ft.)	45%	50%
One or Two Family Residential (lot size < 5750 sq. ft.)	55%	60%
Multifamily Residential	60%	65%
Commercial	65%	70%

Note: The most restrictive impervious cover limit applies.

Site Plan

There is no site plan currently in review for this tract. Site plans will be required for any new development other than single-family or duplex residential.

There are no single-family zoning or uses within 540-ft of this site so compatibility regulations will not be triggered at this time.

Stormwater Detention

At the time a final subdivision plat, subdivision construction plans, or site plan is submitted, the developer must demonstrate that the proposed development will not result in additional identifiable flooding of other property. Any increase in storm water runoff will be mitigated through on-site storm water detention ponds, or participation in the City of Austin Regional Stormwater Management Program, if available.

Transportation

No additional right-of-way is needed at this time.

A traffic impact analysis was waived for this case because the applicant agreed to limit the intensity and uses for this development. If the zoning is granted, development should be limited through a conditional overlay to less than 2,000 vehicle trips per day. [LDC, 25-6-117]

US 183 is classified in the Bicycle Plan as Bike Route # 417. Pond Springs Road is classified in the Bicycle Plan as Bike Route # 21.

Capital Metro bus service (Route #383) is available along US 183.

C4
12

There are no existing sidewalks along US 183. There are existing sidewalks along Pond Springs Road.

Eric Dusza in the Neighborhood Connectivity Division may provide additional comments regarding mobility enhancement and bicycle/pedestrian facilities.

Existing Street Characteristics:

Name	ROW	Pavement	Classification	ADT
US 183	Varies	MAD-6	Freeway	173,000
Pond Springs Rd.	100'	MNR-2	Arterial	11,634

Water and Wastewater

FYI: The property is currently served with City of Austin water and wastewater utilities. If redeveloped the landowner, at own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, utility relocations and or abandonments required by the proposed land use. Depending on the development plans submitted, water and or wastewater service extension requests may be required. Water and wastewater utility plans must be reviewed and approved by the Austin Water Utility for compliance with City criteria and suitability for operation and maintenance. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.